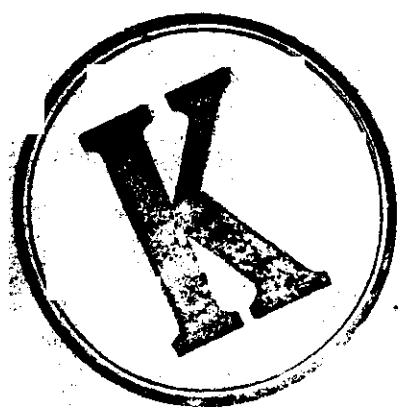




1946

File No. B. Rent
Restriction/46
Legal Department
B BRANCH

Subject:—A Bill to amend The Bombay
Rent Restriction Act, 1939
(Second Amendment)

(Bom. VIII of 1946)

For S

File No. B. Rent Restriction/46

31712

Office of the R.L.A.

The draft Bill at pages 9 and 10 and the Statement at page 11 are in order.

2. Under executive instructions, the Bill requires the previous concurrence of the Governor General before enactment. [Please see Secretary to the Governor's Circular No. 201(12), dated ~~the~~ 18th December 1939).

3. The subject-matter of the Bill falls under entries Nos. 2 and 21 in List II and entries Nos. 4, 8, 10 and 15 in List III of the Seventh Schedule to the Government of India Act, 1935. As sections 5, 10 and 11 of the Bombay Rent Restriction Act, 1939, are repugnant to the provisions of the existing Indian law contained in sections 108(1) and 108(q) of the Transfer of Property Act, 1882, and as section 13 is repugnant to the provisions of the existing Indian Law contained in Chapter VIII of the Presidency Small Cause Courts Act, 1882, and as the Bill is intended to extend the life of the Bombay Rent Restriction Act, 1939, for a further period of one year, the Bill will have to be reserved for the consideration of the Governor-General with reference to paragraph (2) of the Proclamation and section 107(2) of the Government of India Act, 1935.

3/3/39

P.N.M.

7/12/45.

O.C.

Remembrancer of Legal Affairs.

U.R.to G.D., No. 9228, dated the 10th December 1945.

MM

17/7-

IMMEDIATE.

No.1529

Legal Department,
Bombay Castle, 23rd February 1946 .

From

P.N.Moos, Esquire, Bar-at-Law, I.C.S.,
Secretary to the Government of Bombay;

To

The Secretary to the Governor of Bombay.

Subject:- A Bill to amend the Bombay Rent
Restriction Act, 1939.

Sir,

With reference to your Memorandum No.201(57), dated the 18th January 1946 addressed to the General Department, on the above subject, I am directed to forward herewith a copy of the Bill to amend the Bombay Rent Restriction Act, 1939, prepared by His Excellency the Governor of Bombay under paragraph (2) of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935.

2. The subject-matter of the Bill falls under entries Nos. 2 and 21 in List II and entries Nos. 4,8,10 and 15 in List III of the Seventh Schedule to the Government of India Act, 1935. As sections 5,10 and 11 of the Bombay Rent Restriction Act, 1939, are repugnant to the provisions of the existing Indian Law contained in sections 108(l) and 108(q) of the

Contd.

Transfer of Property Act, 1882, and as section 13 is repugnant to the provisions of the existing Indian law contained in Chapter VIII of the Presidency Small Cause Courts Act, 1882, and as the Bill is intended to extend the life of the Bombay Rent Restriction Act, 1939, for a further period of one year, the Bill will have to be reserved for the consideration of the Governor-General with reference to paragraph (20) of the Proclamation and section 107(2) of the Government of India Act, 1935.

3. I also forward herewith six spare copies of the Bill, out of which five copies are for transmission to the Secretary to the Governor-General (Public).

4. It is requested that His Excellency the Governor-General may be moved to give his assent to the Bill so as to ~~make~~ enable this Government to publish the assent before the 31st ^{Mar} March 1946 as the old Act expires on that day and the new Act must come into force on that date.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/- P.N.M. 22/2/46.
Secretary to the Government of Bombay.

Through:

The Secretary to the Government of Bombay,
General Department.

5.

No.G.S.707.

Office of the Governor's Secretary
Government House

From

G.G.Drewe, Esquire, OBE.ICS.
Secretary to the Governor,

To

The Secretary to Government,

Legal Department, Bombay,

Subject: The Bombay ^{Bombay, 13th March 1946} Rent Restriction
(Amendment) Bill, 1946.

Sir,

With reference to your letter No. 1529,
dated 23rd February 1946, on the above subject, I
am directed to forward herewith the copy of the
Bombay Rent Restriction (Amendment) Bill, 1946,
with His Excellency the Governor-General's assent
signified thereon.

Your obedient servant,

Sd/-

for Secretary to the Governor of Bombay.

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17/7-

Acts.

Publication of the Bombay Rent
Restriction (Amendment) Act, 1946.

GOVERNMENT OF BOMBAY
Legal Department.
Resolution No. 2220
Bombay Castle, 22nd March 1946.

Letter to the Secretary to the Governor, No
1529, dated the 23rd February 1946.

Letter from the Secretary to the Governor,
No. G.S. 707, dated the 13th March 1946.

"With reference to your letter No. 1529, dated
23rd February 1946, on the above subject, I am
directed to forward herewith the copy of the
Bombay Rent Restriction (Amendment) Bill, 1946,
with His Excellency the Governor-General's assent
signified thereon."

RESOLUTION.— The law should be published as
Act No. VIII of 1946, in the Bombay
Bombay Government Gazette dated the 28th March—
1946.

2. The Act should be translated into Marathi,
Gujarati, Kannada and Hindustani (in Urdu and
Devnagari scripts) and the translations should
be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to
the General Department.

Contd.

By order of the Governor of Bombay,

Sd/- M.G. MONANI?

Assistant Remembrancer of Legal Affairs,

To

The Manager, Government Central Press, Bombay,
(with a copy of the Act and with a request
that 15 gazette copies of the Act may be
forwarded to the Legal Department).

The General Department,

* The Oriental Translator to Government,
The Secretary to the Bombay Legislative Council,
The Secretary to the Bombay Legislative
Assembly

with a copy of the Act.

**With five extra copies.

MM

17/7-

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Bombay Act No. VII 56 1946.

~~GOVERNOR'S BILL No. VI OF 1946.~~

In ref-

~~A Bill to amend the Bombay Rent Restriction Act, 1939.~~

Bom. XVI
of 1939.

WHEREAS it is expedient to amend the Bombay Rent Restriction Act, 1939, for the purpose hereinafter appearing ;

26 Geo. 5,
Ch. 2.

AND WHEREAS the Governor of Bombay has assumed to himself under the Proclamation dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature ;

NOW, THEREFORE, in exercise of the said powers, the Governor of Bombay is pleased to make the following Act :—

1. (1) This Act may be called the Bombay Rent Restriction (Amendment) Act, 1946.

Short title
and com-
mencement.

(2) It shall come into force on the 31st day of March 1946.

Bom. XVI
of 1939.

2. In sub-section (3) of section 1 of the Bombay Rent Restriction Act, 1939, for the figures " 1946 " the figures " 1947 " shall be substituted.

Amendment
of section 1
of Bom. XVI
of 1939.

The extended term of the Bombay Rent Restriction Act, 1939, which restricts the increase of rents of premises not exceeding Rs. 80 per mensem, expires on 31st March 1946. Government considers it necessary to continue the restriction and proposes to extend the term of the Act for a further period of one year from 1st April 1946 and to amend the Act accordingly.

STATEMENT.

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